

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISCTRICK OF WEST VIRGINIA
HUNTINGTON DIVISION**

WILBUR MORRIS VANNATTER,

Plaintiff,

v.

Civil Action No.: 3:21-CV-00125

**CSX TRANSPORTATION, INC.,
ROY C. KAISER,
JOHN DOE, Locomotive Operator, AND
JOHN DOES, (1-10),**

Defendants.

AGREED ORDER OF DISMISSAL

On this day came Plaintiff, Wilburn Morris Vannatter III (“Plaintiff”), by and through counsel, Adrian Hoosier, and Defendant, CSX Transportation, Inc., by and through counsel, Robert L. Massie (collectively, the “Parties”), and hereby jointly announce to the Court that all matters in controversy between the Parties in the above-referenced matter have been resolved. Accordingly, the Parties jointly move this Court to dismiss any and all claims against Defendant CSX Transportation, Inc., with prejudice, in the above-referenced matter.

WHEREFORE, the Court, having considered the request of counsel, and being otherwise sufficiently advised, hereby **ADJUDGES, ORDERS AND DECREES** that Plaintiff’s claims against Defendant CSX Transportation, Inc. are **DISMISSED WITH PREJUDICE**. The parties shall bear their own costs.

There being nothing further to be done this matter is **ORDERED** stricken from the docket of this Court.

The Court further DIRECTS the Clerk to send a copy of this Agreed Order of Dismissal to all counsel of record.

Entered this the _____ day of _____, 2022.

Hon. Judge Robert C. Chambers

Presented by:

/s/ Robert L. Massie

Robert L. Massie, Esquire (WVSBN 5743)

Diane O. Long, Esquire (WVSBN 13390)

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Counsel for Defendant CSX Transportation, Inc.

Agreed to and Approved by:

/s/ D. Adrian Hoosier w/permission

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